REMARKS

Claims 1-6, 8-22 and 24-33 remain pending in this application. In the Final Office Action dated October 5, 2004, the Examiner rejected claims 1-6, 8-22 and 24-33 under 35 U.S.C. § 103(a) as being unpatentable over Jackson (U.S. Patent No. 5,297,274). Based on the following remarks, Applicant traverses these rejections and respectfully requests that the rejections of claims 1-6, 8-22 and 24-33 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 1, 9, 17 and 25

The Examiner alleges that Jackson teaches "determining whether register data corresponding to a selected thread has changed from a previous interrupt of all of the threads; and providing an indication of the change for the selected thread." *Final Office Action*, ¶ 4 (citing Jackson, abstract and col. 3, lines 33-54). The Examiner further asserts that "[b]y analyzing the current state of the registers, monitor program [32] can determine whether register data corresponding to a selected thread has changed from a previous interrupt of all the threads." *Final Office Action*, ¶ 18(A) (citing Jackson , col. 3, lines 45-49). However, as pointed out in the previous response, this is not what Jackson teaches, either in the cited portions thereof or anywhere else.

Instead, Jackson determines where execution is taking place by periodically capturing and storing the current location counter (or instruction pointer). See Jackson, abstract, lines 11-15; col. 1, lines 43-49; col. 2, lines 20-24; col. 4, lines 41-45; col. 5, lines 44-52; col. 6, lines 32-39; and FIG. 3, step 74. Jackson then performs a "Monte Carlo" analysis of the distribution of execution time among selected locations (e.g., by

determining the percentage of times that a particular location counter occurs in the captured data), without regard to whether the location counter has changed from a previous interrupt. See Jackson, abstract, lines 16-19; col. 1, lines 43-49; col. 2, lines 24-27; col. 4, lines 45-48; claims 3 and 7; and FIG. 4.

For at least these reasons, Jackson fails to support the Examiner's rejection of claims 1, 9, 17 and 25 under 35 U.S.C. § 103(a). Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn and the claims allowed.

Claims 2-4, 10-12, 18-20, 26, 27, 30 and 31

Claims 2-4, 10-12, 18-20, 26, 27, 30 and 31 depend from one of claims 1, 9 and 17. As explained, claims 1, 9 and 17 are distinguished from Jackson. Thus, claims 2-4, 10-12, 18-20, 26, 27, 30 and 31 are also distinguishable from Jackson for at least the same reasons set forth for claims 1, 9 and 17. Accordingly, Applicant respectfully requests that the rejection of claims 2-4, 10-12, 18-20, 26, 27, 30 and 31 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Further, in the rejection of claim 2, the Examiner admits that Jackson does not teach "comparing the stored data with register information stored following a previous interrupt." *Office* Action, ¶ 5, lines 3-4. Nevertheless, the Examiner asserts that "Jackson *must* compare the stored indications of the state of the selected application to automatically generate a report including the execution times of the selected applications." *Final Office Action,* ¶ 18(B) (emphasis added). However, Applicant respectfully disagrees. The "Monte Carlo" analysis taught by Jackson may be performed without comparing the stored data with register information stored following a

previous interrupt. For example, the output depicted in FIG. 4 of <u>Jackson</u> may be obtained by determining the percentage of times that a particular location counter occurs in the captured data, without regard to whether the location counter has changed from a previous interrupt.

For at least these added reasons, the Examiner's rejection of claim 2 under 35 U.S.C. § 103(a) is also not supported by the art relied upon. Accordingly, Applicant respectfully request that the rejection of claim 2 be withdrawn and the claim allowed.

Moreover, in the rejection of claim 3, the Examiner alleges that "Jackson teaches computing a value corresponding to the stored data and determining a relationship between the computed value and the previously stored register information." See *Final Office Action*, ¶ 5 (citing <u>Jackson</u>, col. 2,lines 8-30, and col. 3, lines 45-54). However, Applicant can find no teaching of such computation in <u>Jackson</u>, either in the cited portions thereof or anywhere else. The Examiner asserts that "[f]or generating a report including a distribution of execution times, Jackson *must* compute the stored indications of the state of the selected application." *Final Office* Action, ¶ 18(C) (emphasis added). However, Applicant respectfully disagrees. As pointed out above, the "Monte Carlo" analysis taught by <u>Jackson</u> may be performed by determining the percentage of times that a particular location counter occurs in the captured data, without determining a relationship between a computed value and previously stored register information.

For at least these additional reasons, <u>Jackson</u> fails to provide support for the Examiner's rejection of claim 3. Accordingly, Applicant respectfully requests that the rejection of claim 3 under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Because <u>Jackson</u> does not make a determination as to whether a computed value matches previously stored register information, <u>Jackson</u> does not teach or suggest updating a memory segment to reflect that the selected thread is running when it is determined that the computed value and the previously stored register value do not match. Therefore, the Examiner's rejection of claim 4 is likewise unsupported by <u>Jackson</u> and Applicant respectfully requests that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 5, 13, and 21

Claims 5, 13 and 21 include recitations similar to those cited with respect to claim 3. As explained, the Examiner's rejection of claim 3 is not supported by <u>Jackson.</u> Accordingly, the Examiner's rejection of claims 5, 13 and 21 is also unsupported by <u>Jackson</u> for at least the same reasons set forth for claim 3, and Applicant respectfully requests that the rejection of claims 5, 13 and 21 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 6, 14, 15, 22, 28 and 32 depend from one of claims 5, 13 and 21. As explained, <u>Jackson</u> does not support the Examiner's rejection of claims 5, 13 and 21. Therefore, the Examiner's rejection of claims 6, 14, 15, 22, 28 and 32 likewise lacks support for at least the same reasons set forth above in connection with claims 5, 13 and 21. Further, claim 6 includes recitations similar to claim 4. As explained, the rejection of claim 4 lacks support in <u>Jackson</u>. Therefore, the rejection of claim 6 also lacks support in this reference for at least the same reasons set forth above with respect

to claim 4. Accordingly, Applicant respectfully requests that the rejection of claims 6, 14, 15, 22, 28 and 32 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 8, 16, and 24

Claims 8, 16 and 24 include recitations similar to those cited above in connection with claim 2. As explained, the rejection of claim 2 is not supported by <u>Jackson</u>. Therefore, the rejection of claims 8, 16 and 24 also lacks support in <u>Jackson</u> for at least the same reasons set forth with respect to claim 2. Accordingly, Applicant respectfully requests that the rejection of claims 8, 16 and 24 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 29 and 33 depend from claims 8 and 24, respectively. As explained, <u>Jackson</u> does not support the Examiner's rejection of claims 8 and 24. Accordingly, the Examiner's rejection of claims 29 and 33 is also unsupported by <u>Jackson</u> for at least the same reasons set forth above with respect to claims 8 and 24, and Applicant respectfully requests that the rejection of claims 29 and 33 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.
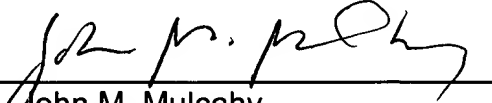
Conclusion

In view of the foregoing remarks, Applicant submits that this claimed invention, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 1, 2004   By: _____
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